

### REMARKS

This responds to the Office Action mailed on March 17, 2008.

Claims 1-3, 11, 15, 35, and 37-38 are amended, no claims are canceled, and no claims are added; as a result, claims 1-4, 8-15, 32-35, and 37-38 stand pending in this application. The Amendments are fully supported by the original claims of the Application (e.g., claim 11) and do not add new matter.

#### Examiner Interview Summary

Applicants would like to thank Examiner Ella Colbert for the courtesy of a phone interview on May 13, 2008 between the Examiner and Applicants' representative Ali Miresghhi. During the interview, the claims and the cited references were discussed and an agreement was reached that the independent claims of the application would be amended to place them in a condition for allowance.

#### §103 Rejection of the Claims

Claims 1-4, 8-15 and 32-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Halbert et al. (U.S. Patent No. 6,101,484, hereinafter; "Halbert").

For the reasons set forth below, Applicants respectfully submit that, in light of the above amendment, this rejection is now moot. The applicants submit that all the pending claims are non-obvious over Halbert, and are therefore allowable.

Claim 1, as amended, recites, in pertinent part, "the information causing the user interface to display a plurality of price choice selection controls selectively corresponding to the plurality of price choices." (Emphasis added throughout) This limitation, which is now incorporated into claim 1, was a feature of existing claim 11. The Office Action, at page 5, in rejecting claim 11, when discussing this limitation, relies on Halbert at col. 8, lines 28-60. Applicants respectfully submit that the cited passage does not describe this limitation. Halbert, in the cited passage, describes FIGs. 3D and 3E, including modification of minimum threshold offer curve 106 by direct input and the effect of the modification on the price curve 104:

FIG. 3D shows the curve set in FIGS. 3B and 3C at a still later time in the operation of the co-op. Minimum threshold offer curve 106 has once again been modified by direct input . . . Note that this modification produces a substantial

change in the price curve 104 and that the current price for the television set has now dropped to \$1,254. Block 114 now shows a total of 570 committed offers with a gross margin of \$288,710. Thus, the gross margin at this point has been substantially reduced. . . . However, comparing FIGS. 3D and 3E shows that, with no further modifications to the minimum threshold offer curve 106, all 1,000 of the television sets are sold at a price of \$1,089, giving a gross margin of \$513,000. The ability to follow the progress of a co-op with data feedback from modifications to the displayed curve set itself shown in the block 114 provides a powerful management system for buying co-ops.

The above quoted passage states that minimum threshold offer curve 106 has once again been modified by direct input and this modification produces a substantial change in the price curve 104. The passage also describe the data displayed in block 114. However, the passage is clearly silent with regard to the claimed feature of displaying any price choice selection controls selectively corresponding to the plurality of price choices. Accordingly, Halbert does not describe the limitation of “*the information causing the user interface to display a plurality of price choice selection controls selectively corresponding to the plurality of price choices*,” as recited in the amended claim 1. Thus, Applicants respectfully submit that, at least for the reasons set forth above, there are substantial differences between what is claimed and what the Office Action contends to be shown in Halbert. Because the cited patent document does not show all of the elements of the claimed subject matter of the amended claim 1, those differences are significant and non-obvious to a person of ordinary skill in the art at the time the application was filed. Therefore, Amended claim 1 and its dependent claims 2-4, and 8-10 are not rendered obvious by Halbert and are allowable.

Similar arguments as presented with respect to the amended claim 1 are also applicable to a consideration of claims 11, 15, 35, and 37. Thus, at least for the reasons discussed above, claims 11, 15, 35, and 37, and their respective dependent claims 12-14, 32-34, and 38 are also allowable. Therefore, Applicants respectfully request the claim rejections under 35 U.S.C. § 103(a) be reconsidered, in light of the amendments, and withdrawn.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' Representative at 408-278-4053 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
408-278-4053

Date June 17, 2008

By

Ali Miresghii

Ali Miresghii

Reg. No. 58,726

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 11 day of June, 2008.

Chris Boren

Name

Chris Boren

Signature